



FRANKEL & NEWFIELD, P.C.

ATTORNEYS AT LAW

Justin C. Frankel\*  
Jason A. Newfield\*

\*Admitted in NY, CT and PA

January 20, 2015

585 Stewart Avenue  
Suite 312  
Garden City, NY 11530

Tel: (516) 222-1600

Fax: (516) 222-0513

www.frankelnewfield.com

**VIA ECF**

Magistrate Judge Ronald L. Ellis  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312

Re: Fainter v. Metropolitan Life Ins. Co..  
14-cv-8543

Dear Judge Ellis,

This office represents Plaintiff Richard Fainter ("Fainter") in the above-referenced matter. We submit this joint letter, with the consent of counsel for the Defendant Metropolitan Life Insurance Company ("MetLife"), to request that the initial conference currently scheduled for January 20, 2015 be adjourned to one of the following dates: January 27, 2015, February 4, or 10, 2015.

The reason for this request is that the Court filed its Order scheduling an initial conference following close of business (i.e. at 6:36 pm) on Friday, January 16, 2015, which was the day before a holiday weekend, and scheduled the initial conference for 10:30 am on the first day following the holiday weekend. There was no time to reach the Court prior to this morning concerning the need for an adjournment.

Unfortunately, I have several previously scheduled commitments preventing me from attending this conference today, and, as such, need a brief adjournment. Furthermore, lead counsel for MetLife, Michael H. Bernstein, is currently out of the country and therefore, will not be able to attend the initial conference. This is the parties' first request for an adjournment of the initial conference.

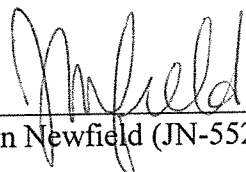
No other dates shall be impacted by this change.

Thank you for your consideration of this request.

Respectfully submitted,

FRANKEL & NEWFIELD, P.C.

By:

  
\_\_\_\_\_  
Jason Newfield (JN-5529)

JAN:bms  
cc: Michael Bernstein, Esq.